

## REMARKS

Claims 1-49 were previously pending in this patent application. Claims 1-49 stand rejected. Herein, Claims 1, 12, 21, 28, and 39 have been amended. Accordingly, after this Amendment and Response, Claims 1-49 remain pending in this patent application. Further examination and reconsideration in view of the claims, remarks, and arguments set forth below is respectfully requested.

### 35 U.S.C. Section 102(e) Rejections

Claims 1-49 stand rejected under 35 U.S.C. 102(e) as being anticipated by Barnard et al., U.S. Patent Application Publication No. US 2003/0005100 (hereafter Barnard). These rejections are respectfully traversed.

Independent Claim 1 recites:

A method for fault management in a distributed network management station comprising:  
initiating a first device coupled to a network;  
***broadcasting from said first device an information packet*** to a plurality of devices coupled to the network, wherein ***said information packet facilitates establishing a defined master device for said network***; and  
resolving status of said first device coupled to said network, wherein said resolving results in said distributed network management station having ***said defined master device being one of said first device and said devices***. (emphasis added)

It is respectfully asserted that Barnard does not disclose the present invention as recited in Independent Claim 1. In particular, the Independent Claim 1 recites the limitations "***broadcasting from said first device an***

*information packet* " (emphasis added), "**said information packet facilitates establishing a defined master device for said network**" (emphasis added), and "**said defined master device being one of said first device and said devices**" (emphasis added). On the contrary, Barnard is directed to discovery and management of network printers or any type of network device instead of fault management in a distributed network management station, as in the invention of Independent Claim 1. [Barnard; paragraph [0041]]. Further, Barnard discloses multiple network management devices and network devices (e.g., workstation, server, printers, and laptop) but fails to disclose broadcasting from the first device (e.g., network management device, network device, etc.) to devices (e.g., network management device, network device, etc.) of the network an information packet that facilitates establishing a defined master device for the network. Furthermore, Barnard fails to disclose a defined master device that is one of the first device (e.g., network management device, network device, etc.) and the devices (e.g., network management device, network device, etc.) of the network. As described above, Barnard does not disclose the cited claim limitations of Independent Claim 1. Therefore, it is respectfully submitted that Independent Claim 1 is not anticipated by Barnard and is in condition for allowance.

Dependent Claims 2-11 are dependent on allowable Independent Claim 1, which is allowable over Barnard. Hence, it is respectfully submitted that Dependent Claims 2-11 are patentable over Barnard for the reasons discussed above.

With respect to Independent Claims 12, 21, 28, and 39, it is respectfully submitted that Independent Claims 12, 21, 28, and 39 recite similar limitations as in Independent Claim 1. Therefore, it is respectfully submitted that Independent Claims 12, 21, 28, and 39 are not anticipated by Barnard and are in condition for allowance for reasons discussed in connection with Independent Claim 1.

Dependent Claims 13-20, Dependent Claims 22-27, Dependent Claims 29-38, and Dependent Claims 40-49 are dependent on allowable Independent Claims 12, 21, 28, and 39 respectively, which are allowable over Barnard. Hence, it is respectfully submitted that Dependent Claims 13-20, Dependent Claims 22-27, Dependent Claims 29-38, and Dependent Claims 40-49 are patentable over Barnard for the reasons discussed above.

## CONCLUSION

It is respectfully submitted that the above claims, arguments and remarks overcome all rejections and objections. All remaining claims (Claims 1-49) are neither anticipated nor obvious in view of the cited references. For at least the above-presented reasons, it is respectfully submitted that all remaining claims (Claims 1-49) are in condition for allowance.

The Examiner is urged to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Please charge any additional fees or apply any credits to our PTO deposit account number: 23-0085.

Respectfully submitted,

WAGNER, MURABITO & HAO, LLP

Dated: June 20, 2005

Jose S. Garcia

Jose S. Garcia  
Registration No. 43,628

Two North Market Street, Third Floor  
San Jose, CA 95113  
(408) 938-9060